

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

**IN RE DIGITEK®**

**PRODUCTS LIABILITY LITIGATION**

**MDL NO. 1968**

**THIS DOCUMENT RELATES TO ALL CASES**

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**NOTICE OF VIDEO DEPOSITION**

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Please take notice that the Plaintiffs Steering Committee will take the video deposition of **Brian Nizio** before a court reporter or other official authorized by law to take depositions, on **Thursday, May 13, 2010, at 9:00 a.m.** to be conducted at the offices of **Harris Beach PLLC, 100 Wall St., New York, New York, 10005** at which time and place you are notified to appear and take such part of said deposition as may be proper.

This deposition will be recorded stenographically and on videotape, and will comply with any relevant orders in this MDL. This deposition is noticed in the above-captioned matter for any and all purposes permitted by the Federal Rules of Civil Procedure, and any other federal, state, or local rules that apply to this action and the deposition will be taken in accordance with these rules. The oral examination will continue from day to day until completed.

Dated: April 28, 2010

Respectfully submitted,

On Behalf of the Plaintiffs' Steering  
Committee

s/Fred Thompson, III Esq.

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 28, 2010, the above notice was filed electronically and served by email to counsel as listed below.

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